

COMMITTEE REPORT

MR. PRESIDENT:

The Senate Committee on Pensions and Labor, to which was referred House Bill No. 1347, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill be AMENDED as follows:

- 1 Page 2, line 36, delete "communicable" and insert "**exposure risk**".
- 2 Page 2, between lines 37 and 38, begin a new line block indented
- 3 and insert:
- 4 "**(1) acquired immune deficiency syndrome (AIDS);**
- 5 **(2) anthrax;**".
- 6 Page 2, line 38, delete "(1)" and insert "(3)".
- 7 Page 2, between lines 38 and 39, begin a new line block indented
- 8 and insert:
- 9 "**(4) human immunodeficiency virus (HIV);**".
- 10 Page 2, line 39, delete "(2)" and insert "(5)".
- 11 Page 2, line 39, delete "and".
- 12 Page 2, between lines 39 and 40, begin a new line block indented
- 13 and insert:
- 14 "**(6) smallpox; and**".
- 15 Page 2, line 40, delete "(3)" and insert "(7)".
- 16 Page 3, line 18, delete "a communicable" and insert "**an exposure**
- 17 **risk**".
- 18 Page 4, line 1, after "by" delete "a".
- 19 Page 4, line 2, delete "communicable" and insert "**an exposure**
- 20 **risk**".

1 Page 4, line 6, delete "or".

2 Page 4, line 6, after "(d)" insert ", (e), or (f)".

3 Page 4, line 17, after "affidavit" insert **"executed before death"**.

4 Page 4, line 38, after "affidavit" insert **"executed before death"**.

5 Page 5, line 6, after "affidavit" insert **"executed before death"**.

6 Page 5, between lines 8 and 9, begin a new paragraph and insert:

7 **"(e) An employee who is diagnosed with a health condition**
 8 **caused by AIDS or HIV and, if the health condition results in**
 9 **disability or death, wishes to have a presumption of disability or**
 10 **death incurred in the line of duty apply to the employee shall, by**
 11 **written affidavit executed before death, provide verification that**
 12 **the employee has not:**

13 **(1) outside the scope of the employee's current employment,**
 14 **been exposed through transfer of body fluids to an individual**
 15 **known to have a medical condition caused by AIDS or HIV;**
 16 **(2) received blood products other than a transfusion received**
 17 **because of an injury to the employee that occurred in the**
 18 **scope of the employee's current employment;**
 19 **(3) received blood products for the treatment of a coagulation**
 20 **disorder since testing negative for AIDS or HIV;**
 21 **(4) engaged in sexual practices or other behavior identified as**
 22 **high risk by the Centers for Disease Control and Prevention**
 23 **or the Surgeon General of the United States;**
 24 **(5) had sexual relations with another individual known to the**
 25 **employee to have engaged in sexual practices or other**
 26 **behavior described in subdivision (4); or**
 27 **(6) used intravenous drugs that were not prescribed by a**
 28 **physician.**

29 **(f) An employee who is diagnosed with a health condition caused**
 30 **by smallpox and, if the health condition results in disability or**
 31 **death, wishes to have a presumption of disability or death incurred**
 32 **in the line of duty apply to the employee shall, by written affidavit**
 33 **executed before death, provide verification that the employee has**
 34 **not, outside the scope of the employee's current employment, been**
 35 **exposed to another individual known to have smallpox."**

36 Page 5, line 9, delete "(e)" and insert "(g)".

37 Page 5, between lines 10 and 11, begin a new paragraph and insert:

38 **"(h) A meeting or hearing held to rebut a presumption of**
 39 **disability or death incurred in the line of duty may be held as an**
 40 **executive session under IC 5-14-1.5-6.1(b)(1)."**

41 Page 5, line 12, delete "a communicable" and insert **"an exposure**
 42 **risk"**.

- 1 Page 5, line 34, delete "The employer of an employee shall:".
 - 2 Page 5, delete lines 35 through 37.
 - 3 Page 5, line 38 delete "(b)".
 - 4 Page 5, run in lines 34 through 38.
 - 5 Page 5, line 39, delete "a".
 - 6 Page 5, line 40, delete "communicable" and insert "**an exposure**
 - 7 **risk**".
 - 8 Page 5, between lines 40 and 41, begin a new paragraph and insert:
 - 9 "**(b) The employer shall maintain a permanent record of a**
 - 10 **report filed by an employee under subsection (a).**".
 - 11 Page 6, delete lines 16 through 39.
 - 12 Page 22, line 11, delete "a communicable" and insert "**an exposure**
 - 13 **risk**".
 - 14 Renumber all SECTIONS consecutively.
- (Reference is to HB 1347 as printed January 30, 2002.)

and when so amended that said bill do pass .

Committee Vote: Yeas 8, Nays 0.

Senator Harrison, Chairperson